

**\*\*NOT FOR PRINTED PUBLICATION\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

THOMAS E. WHATLEY, III,

*Plaintiff,*

V.

AHF FINANCIAL SERVICES, LLC,  
ALPHINE H. FREEMAN III, and  
X-RAY ASSOCIATES OF NEW  
MEXICO, P.C.,

*Defendants.*

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CASE NO. 4:11-CV-488  
Judge Clark/Judge Mazzant

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 12, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Joint Motion for Attorneys' Fees and Costs Under FRCP 54 [Doc. #134] be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendants' Joint Motion for Attorneys' Fees and Costs Under FRCP 54 [Doc. #134] is **DENIED**.

So **ORDERED** and **SIGNED** this **5** day of **September, 2013**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge